

Challenge to Constitutionality of a State Statute**Print**

This form must be completed by a party filing a petition, motion or other pleading **challenging the constitutionality of a state statute**. The completed form must be filed with the court in which the cause is pending as required by Section 402.010 (a-1), Texas Government Code.

Cause Number *(For Clerk Use Only):***Court** *(For Clerk Use Only):*

Styled: The Woodlands Pride, Inc., et al. v. Angela Colmenero, et al.

(e.g., John Smith v. All American Insurance Co.; in re Mary Ann Jones; In the Matter of the Estate of George Jackson)

Contact information for party* challenging the constitutionality of a state statute. (*If party is not a person, provide contact information for party, party's representative or attorney.)

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Person completing this form is: ☒ Attorney for Party ☐ Unrepresented Party ☐ Other:**Identify the type of pleading you have filed challenging the constitutionality of a state statute.**☒ Petition ☐ Answer ☐ Motion (Specify type):☐ Other:**Is the Attorney General of the State of Texas a party to or counsel in this cause?**☒ Yes ☐ No**List the state statute(s) being challenged in your pleading and provide a summary of the basis for your challenge. (Additional pages may be attached if necessary.)**

Plaintiffs The Woodlands Pride; Abilene Pride Alliance; Extragrams, LLC; 360 Queen Entertainment LLC; and Brigitte Bandit bring this action to enjoin the enforcement of Texas Senate Bill 12, 88th Leg. (2023), codified as proposed Tex. Health & Safety Code § 769.002; Tex. Local Gov. Code § 243.0031; Tex. Penal Code § 43.28.

Defendants are sued because they are statutorily tasked with enforcing this unconstitutional law and include Angela Colmenero, in an official capacity as Interim Attorney General of Texas; The Woodlands Township; Montgomery County, Texas; Brett Ligon, in an official capacity as District Attorney of Montgomery County; City of Abilene, Texas; Taylor County, Texas; James Hicks, in an official capacity as District Attorney of Taylor County; Delia Garza, in an official capacity as County Attorney of Travis County; and Joe D. Gonzalez, in an official capacity as District Attorney of Bexar County.

Plaintiffs allege that SB 12 violates the First and Fourteenth Amendments, pursuant to 42 U.S.C. § 1983, because the law impermissibly discriminates based on the content and viewpoint of inherently expressive conduct, is overbroad, is vague, and operates as a prior restraint on speech.